

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ELIZABETH PADILLA,

Plaintiff,

-against-

CREDIT PROTECTION ASSOCIATION,

Defendant.

Docket No: ____-cv-_____

NOTICE OF REMOVAL

TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE, that pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Credit Protection Association L.P. (“CPA”) sued herein as Credit Protection Association, hereby gives notice of the removal of this action from the Civil Court of the State of New York, County of Bronx, where it is now pending, to the United States District Court for the Southern District of New York. In support of this Notice of Removal, Defendants states:

1. On or about September 29, 2017, Plaintiff filed a Summons and Complaint in this action styled *Elizabeth Padilla v. Credit Protection Association* bearing Index No. 015942/2017 before the Civil Court of the State of New York, County of Bronx. A copy of the Summons and Complaint is annexed hereto as **Exhibit A**.
2. The Summons and Complaint was received by CPA on or about January 16, 2018.
3. The Summons and Complaint alleges violations of 15 U.S.C. § 1692, et. seq., otherwise known as the Fair Debt Collection Practices Act (“FDCPA”). Accordingly, this action may be removed pursuant to 28 U.S.C. § 1441(b) as this Court has federal question jurisdiction under 28 U.S.C. §1331.

4. This Notice of Removal is timely filed within thirty (30) days after Defendant first received a copy of the Summons and Complaint setting forth the claims for relief and existence of federal question jurisdiction.

5. A civil cover sheet and the payment of the required filing fee accompany this Notice.

6. Written notice of this Notice of Removal will be filed in the Civil Court of the State of New York, County of Bronx.

WHEREFORE, the Removing Defendant respectfully requests that this action be removed from the Civil Court of the State of New York, County of Bronx to the United States District Court for the Southern District of New York.

Dated: New York, New York
February 14, 2018

HINSHAW & CULBERTSON LLP
Attorneys for Defendant Credit Protection Association L.P.

By: /s/ Han Sheng Beh
Han Sheng Beh
800 Third Avenue, 13th Floor
New York, New York 10022
Tel: (212) 471-6200

To: Edward B. Geller, Esq.
Edward B. Geller, Esq., P.C., of Counsel to
M. Harvey Rephen & Associates, P.C.
Attorney for Plaintiff
15 Landing Way
Bronx, New York 10464
(914) 473-6783